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In re Application of
Melvin Harper et al
Application No. 10/707,268
Filed: December 2, 2003
For: RISER FOR NARROW CARVING SKIS

ON PETITION

This is in regard to your decision on the petition under 37 CFR 1.137(b), filed December 13, 2004, to revive the above-identified application.

The petition was dismissed because:

- (1) Petitioner has failed to pay the required statutory basic filing fee of \$395.00 and surcharge of \$65.00 under 37 CFR 1.53(e).
- (2) Petitioner has failed to pay the fee of \$750.00 for a petition to revive under the unintentional standard of 37 CFR 1.137(b) for a small entity.

The total fees of \$525.00 now due under these two requirements, after deducting the actual fees paid in the earlier application made on December 13, 2004, are enclosed (see attached check).

In addition, the signature of the second inventor, omitted from the earlier application on the telephone advice of the patent office person with whom I discussed both the fees due and whether the second inventor was to sign the application, is now attached to this application.

Very truly yours,

Melvin Harper
Melvin Harper

Luke Harper
Luke Harper

Adjustment date: 01/31/2005 MAHME1
12/15/2004 HAL111 00000025 10707268
01 FC:2453 -685.00 OP

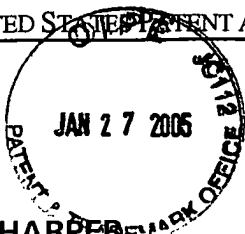
01/31/2005 MAHME1 00000070 10707268

01 FC:2001 395.00 OP
02 FC:2051 65.00 OP
03 FC:2453 750.00 OP



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OFFICE OF PETITIONS

In re Application of :
Melvin Harper et al :
Application No. 10/707,268 : **ON PETITION**
Filed: December 2, 2003 :
For: RISER FOR NARROW CARVING SKIS :

This is a decision on the petition under 37 CFR 1.137(b), filed December 13, 2004, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." No additional fee is required with any renewed petition. Petitioner is advised that this is **not** a final agency action decision.


The above-identified application became abandoned for failure to reply in a timely manner to the Notice to File Missing Parts of Nonprovisional Application (Notice) mailed February 24, 2004. The Notice set a period for reply of two (2) months from the mail date of the Notice. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on April 25, 2004.

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by: (1) the required reply (unless previously filed), which may met by the filing of a continuing application in a nonprovisional application abandoned for failure to prosecute, but must be the payment of the issue fee or any outstanding balance thereof in an application or patent abandoned or lapsed for failure to pay the issue fee or any portion thereof; (2) the petition fee as set

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Telephone inquiries concerning this decision should be directed to Wan Laymon at
(571) 272-3220.


Wan Laymon
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

cc: MELVIN HARPER
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